

**Maryland Board of Pharmacy
Public Board Meeting**

Meeting Minutes
Date: July 15, 2015

Name	Title	Present	Absent	Present	Absent
Board Committee					
Ashby, D.	Commissioner	X		5	2
Bradley-Baker, L.	Commissioner		X	4	3
Gavgani, M. Z.	Commissioner/President	X		6	1
Israbian-Jamgochian, L.	Commissioner	X		7	
Jones, David H.	Commissioner/Secretary	X		7	
Peters, R.	Commissioner	X		7	
Robinson, T.	Commissioner	X		7	
Rochester, C.	Commissioner	X		7	
Roy, S.	Commissioner	X		7	
Smith, J.	Commissioner/Treasurer	X		6	1
St. Cyr, II, Z. W.	Commissioner	X		7	
Zagnit, B.	Commissioner	X		7	
Board Counsel					
Bethman, L.	Board Counsel	X			
Felter, B.	Staff Attorney	X			
Board Staff					
Naesea, L.	Executive Director	X		6	1 (excused)
Wu, Y.	Compliance Manager	X		5	2 (excused)
	Licensing Manager				
Waddell, L.	Acting Administration and Public Support Manager	X		6	1 (excused)
Jeffers, A.	Legislation/Regulations Manager	X		6	1 (excused)
Johnson, J.	MIS Manager	X		7	

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Results
I. Executive Committee Report(s)	A.) M. Gavgani, Board President	<p><i>Members of the Board with a conflict of interest relating to any item on the agenda are advised to notify the Board at this time or when the issue is addressed in the agenda.</i></p> <ol style="list-style-type: none"> 1. M. Gavgani called the meeting to order at 9:35 AM. 2. M. Gavgani reminded all guests to sign the guest log, indicating whether they would like continuing education credits. 	<p>2. M. Gavgani publicly acknowledged and thanked outgoing commissioners, Lenna Israbian-Jamgochian and Lynette Bradley-Baker, who were both members of the Executive Committee when their terms expired.</p>	
	B.) D. Jones, Secretary	<ol style="list-style-type: none"> 3. M. Gavgani requested that all guests introduce themselves and also informed them that the meeting agenda and packet materials were available for review. She advised them that all packets must be returned at the end of the meeting. 4. Review and approval of June 2015 Public Meeting Minutes. 		
II. A. Executive Director Report	L. Naesea, Executive Director	<ol style="list-style-type: none"> 1. Operations Updates <p>L. Naesea thanked L. Israbian-Jamgochian and L. Bradley-Baker for their service to the Board and also welcomed Mitra Gavgani, David Jones, and Jermaine Smith as new Officers on the Executive Committee.</p> 	<p>4. Motion to approve June 2015 minutes by D. Ashby, 2nd by S. Roy.</p>	<p>4. The Board voted to approve the motion.</p>

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		<p>The recent application back log, due to the biennial distributor renewal and new pharmacist graduate applications is being addressed. There are very few distributor applications that were timely submitted that have not been renewed.</p> <p>Greater attention has been focused on processing new pharmacists' applications.</p> <p>End of year reports are being prepared for the Department of Health and Mental Hygiene.</p> <p>2. Meetings Updates</p> <p>Systems Automation (Board's MIS vendor) will be providing additional user training on the many system components available but not frequently accessed or used.</p> <p>A meeting with DHMH's Office of Human Resources (OHR) staff was attended by L. Naesea and L. Waddell to discuss the status of the Board's reorganization request. DHMH will make an effort to nudge the Department of Budget and Management for final approval of the plan.</p> <p>The APS and MIS units have been researching how to implement a lockbox system for incoming applications in order to reduce manpower required to process applications and payments.</p> <p>Interviews for the Deputy of Operations will be scheduled in the near future.</p>		

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		<p>L. Naesea has been working with the Executive Committee to discuss operational initiatives being undertaken by the contracted business analyst, Josette Towles and BITHGROUP. She has been reviewing Board business rules and processes in relation to developing specifications required for an upgraded or new MIS system.</p>		
<p>B. Administration and Public Support (APS)</p>	<p>L. Waddell, Acting APS Manager</p>	<p>1. Personnel Updates</p> <p>The Board was approved to recruit 4 temporary employees.</p> <p>Interviews are being scheduled for the Health Occupations Investigator position.</p> <p>A list of applicants for the Deputy of Operations, provided from OHR will be available soon.</p> <p>The Board reorganization is still pending.</p> <p>The job announcement for the Licensing Specialist position will close on July 21.</p> <p>2. Contracts and Procurement</p> <p>The state archiving contract was completed and approved on July 13.</p> <p>The APS unit is working with the University of Maryland, School of Pharmacy on the contract for the Annual Continuing Education Breakfast.</p>		

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C. MIS	J. Johnson, MIS Manager	<p>1. MIS Update</p> <p>The MIS and APS units are considering a new lockbox system that would greatly reduce the amount of paper processed in the office and cut down processing time until a new MIS system is secured. Credit card payment acceptance is also being considered for walk-in applicants who submit applications to the Board receptionist.</p> <p>The MIS unit is anticipating the pharmacy renewal period next spring and trying to determine if the online renewal system can be configured to allow permit holders to submit application information on-line. Recommendations will be made by December.</p> <p>The IT Steering Committee has been in reviewing possible social media accounts for future consideration.</p> <p>System Automation will be offering administrative & user training in the coming weeks.</p>	<p>Motion by Public Relations Committee to consider/research social media accounts, 2nd by L. Israbian-Jamgochian.</p>	<p>The Board voted to approve tis motion.</p>
D. Licensing	Y. Wu, Compliance Manager	<p>1. Unit Updates</p> <p><i>None at this time.</i></p>		

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		<p>2. Monthly Statistics</p> <table> <tr> <th>License Type</th><th>New</th><th>Renewed</th><th>Reinstated</th><th>Total</th></tr> <tr> <td>Pharmacist</td><td>46</td><td>462</td><td>0</td><td>10596</td></tr> <tr> <td>Vaccination</td><td>14</td><td>39</td><td>0</td><td>3773</td></tr> <tr> <td>Pharmacy</td><td>43</td><td>0</td><td>0</td><td>2042</td></tr> <tr> <td>Distributor</td><td>8</td><td>184</td><td>0</td><td>1125</td></tr> <tr> <td>Pharmacy Technician</td><td>111</td><td>249</td><td>11</td><td>9237</td></tr> <tr> <td>Student Technician</td><td>19</td><td>0</td><td>1</td><td>948</td></tr> </table>	License Type	New	Renewed	Reinstated	Total	Pharmacist	46	462	0	10596	Vaccination	14	39	0	3773	Pharmacy	43	0	0	2042	Distributor	8	184	0	1125	Pharmacy Technician	111	249	11	9237	Student Technician	19	0	1	948		
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E. Compliance	Y. Wu, Compliance Manager	<p>1. Unit Updates</p> <p><i>None at this time.</i></p> <p>2. Monthly Statistics</p> <p>Complaints & Investigations:</p> <p>New Complaints - 85</p>																																					

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		<p>Resolved (Including Carryover) – 25 Final disciplinary actions taken – 1 Reversals – 0 Summary Actions Taken – 1</p> <p>Inspections:</p> <p>Total - 175 Annual Inspections - 120 Opening Inspections - 5 Closing Inspections - 3 Relocation Inspections - 47 Board Special Investigation Inspections – 0 Division of Drug Control Closing Inspections – 0</p> <p>PEAC Report</p> <p>Total Pharmacist Rehabilitation Clients – 18 Pharmacist – 15 Technician – 1 Pharmacy Student – 0 Clients Monitored by Board Req. PEAC Assistance – 2</p> <p>Drug Test Results - 18 Number of Positive Results - 0</p> <p>Discharged Clients/Closed Cases - 0</p>		
F. Legislation & Regulations	A. Jeffers, Legislation & Regulations Manager	<p><u>REGULATIONS:</u></p> <p><u>COMAR 10.34.10 – Pharmacist, Pharmacy Intern, and Pharmacy Technician Code of Conduct</u></p> <p>Board approval requested for this proposal.</p>	<p>10.34.10 Motion to approve and release for informal comment by D. Jones, 2nd by B. Zagnit.</p>	<p>10.34.10 The board voted to approve this motion.</p>

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		<p>Board approval requested to release for informal comment.</p> <p><u>proposed-form 10.34.10</u></p> <p><u>COMAR 10.34.19 Sterile Pharmaceutical Compounding and COMAR 10.34.09 Fees</u></p> <p>Board approval requested for COMAR 10.34.09 Fees, which will be included in the beginning of the proposal for 10.34.19.</p> <p><u>proposed-form 10.34.09 and 10.34.19 071515</u></p> <p><u>COMAR 10.34.29 Drug Therapy Management</u></p> <p>Waiting for Board of Physicians to vote and respond. Boards of Nursing and Podiatry have approved.</p> <p><u>COMAR 10.34.39 Pharmacist Administration of Self-Administered Drugs</u></p> <p>Board approval requested for this proposal.</p> <p><u>Proposed Self-Administered Drugs - 10.34.39 for Board approval 071515</u></p> <p><u>LEGISLATION:</u></p> <p>1) The Practice Committee has reconsidered and it recommends that changing the definition of pharmacy is not the right approach for this issue.</p> <p>2) Practice recommends writing a letter to the Insurance Commission or ask the Secretary to help with the billing</p>	<p>10.34.19 Motion to approve by R. Peters, 2nd by Z. St. Cyr, II.</p> <p>10.34.39 Motion to approve proposal by L. Israbian-Jamgochian, 2nd by C. Rochester. Motion to release for informal comment by T. Robinson, 2nd by C. Rochester.</p> <p>1) Motion to approve by L. Israbian-Jamgochian, 2nd by D. Jones. 2) Motion to approve by L. Israbian-Jamgochian, 2nd by R. Peters.</p>	<p>10.34.19 The Board voted to approve this motion.</p> <p>10.34.39 The Board voted to approve this motion. The Board voted to approve this motion.</p> <p>The Board voted to approve this motion. The Board voted to approve this motion.</p>

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		<p>issue for consulting pharmacies.</p> <p>3) Practice recommends instead addressing two aspects of telepharmacy:</p> <ul style="list-style-type: none"> a) Central fill; and b) Remote supervision <p><u>4) Veterinarian compounding issues</u></p> <p>The Board has received a template letter from 18 veterinarians about office use compounding.</p> <p><u>DRAFT Board Response – Veterinarians</u></p> <p>Would the Board want to allow non-sterile office use compounding for humans and companion animals in Maryland?</p> <p>This would be a law change.</p> <p>The Board has a documented argument for companion animals.</p> <p><u>OTHER MATTERS:</u></p> <p><u>1) Draft Memorandum of Understanding MOU Addressing Certain Distributions of Compounded Human Drug Products Between the State of Insert State and the Food and Drug Administration</u></p> <p><u>Draft Board Comment –FDA MOU</u></p>	<p>3) Motion to approve recommendation by Z. St. Cyr, II, 2nd by D. Jones for options a) and b).</p> <p>Decision to form subcommittee deferred to Practice Committee.</p> <p>4) Motion for discussion by L. Israbian-Jamgochian, 2nd by D. Jones.</p> <p>Motion by L. Israbian-Jamgochian to write letter to the Veterinarian Association that the Board would not oppose legislation to allow office use compounding for companion animals, 2nd by D. Jones.</p> <p>Motion for practice committee to evaluate a bill for the human non sterile factor by L. Israbian-Jamgochian, 2nd by Z. St. Cyr, II.</p> <p>1) Suggested response by L. Bethman. Motion to accept as revised by L Bethman by D. Jones, 2nd by B. Zagnit.</p>	<p>3. The Board voted to approve this motion.</p> <p>4. The Board voted to approve this motion.</p> <p>The Board voted to approve this motion.</p> <p>1) The Board voted to approve this motion.</p> <p>2) No action taken.</p>

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		<p>2) <u>Proposed Regulations - NATALIE M. LAPRADE MEDICAL CANNABIS COMMISSION</u></p> <p>Below is where pharmacists are included:</p> <p><i>10.62.31.01</i></p> <p><i>.01 Clinical Director Responsibilities.</i> <i>A licensed dispensary may appoint an individual who is a Maryland-licensed physician, nurse practitioner or pharmacist to function as clinical director.</i></p> <p>The official comment period ends on July 27th, a few days after the July 22nd Practice Committee meeting.</p> <p><u>10.62.01 - 28 Marijuana MD.R. 062615</u></p>	2) The Board indicated that it would not take action on this proposal.	
III. Committee Reports A. Practice Committee	M. Gavgani, Chair	<p><u>Inquiries:</u></p> <p>Lawrence Siegel, Carroll County Hospital Center</p> <p><u>DTM - pharmacist calling in RX</u></p> <p><u>Draft Board Response – DTM – pharmacist calling in RX</u></p>	<p>Motion to accept response as prepared by B. Zagnit, 2nd by C. Rochester.</p> <p>Additional question</p>	The Board voted to approve this motion.

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		<p>Dear Dr. Siegel:</p> <p>Thank you for contacting the Maryland Board of Pharmacy concerning whether a pharmacist may call in a prescription from a hospital-based Anticoagulation (AC) Clinic to request either: 1) more refills; or 2) a dosage change.</p> <p>If a pharmacist is participating in drug therapy management with a protocol, therapy management contract, and prescriber-pharmacist agreement, the pharmacist, as an agent of the prescriber, may call a pharmacy for refills or to change the dosage pursuant to the protocol. Health Occupations Article, Title 12, Subtitle 6A, Annotated Code of Maryland, as amended by SB347/HB 716 Health Occupations – Prescriber-Pharmacist Agreements and Therapy Management Contracts, Chapter 269, 2015, and COMAR 10.34.29.01 - .07.</p> <p>Additionally, a pharmacist that provides pharmacy services to a patient of a hospital, comprehensive care or extended care facility, may perform a therapeutic interchange within the institution without prior approval of the authorized prescriber if the governing body of the hospital, comprehensive care facility, or extended care facility has established procedures for therapeutic interchange. See COMAR 10.34.10.01</p>	<p>Motion to move to practice.</p>	

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B. Licensing Committee	J. Smith, Chair	<p>1. Review of Pharmacist Applications:</p> <p>a. Ahmed –Applicant is requesting a waiver of the 1500 pharmacy intern hours required for foreign graduates based on his previous work experience and educational background. <u>Licensing Committee's recommendation:</u> Deny the request to waive 1500 pharmacy intern hours</p> <p>b. Benson – Applicant sent in a request on June 29, 2015 seeking additional time to renew his license which expired on June 30, 2015. He has not sent in the fee and has not yet taken live CEs. <u>Licensing Committee's recommendation:</u> Deny the request grant additional time. He must reinstated.</p> <p>c. Gelzinis – Applicant is applying to be licensed by Reciprocity. She was licensed in the state of North Carolina on November 14, 2013, but to date, the applicant has not worked as a pharmacist. The applicant has contacted the Board to find out if there are any other options for her to obtain a license in the state of Maryland. <u>Licensing Committee's recommendation:</u> Deny the request for licensure. Must do 520 hours in NC or in a Federal facility (e.g.: VA pharmacy) plus take NAPLEX.</p>	<p>1a. Motion to deny request by committee, 2nd by D. Ashby.</p> <p>1b. Motion to deny request by committee, 2nd by D. Ashby.</p> <p>1c. Motion to deny request by committee, 2nd by D. Ashby.</p>	<p>1a. The Board voted to approve this motion.</p> <p>1b. The Board voted to approve this motion.</p> <p>1c. The Board voted to approve this motion.</p>

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		<p>consideration if other ID numbers that may be used will be accommodated.</p> <p><i>b. Review of Technician Training Program to meet the National ASHP standards –</i> <u>Licensing Committee's recommendation:</u> Develop a survey through survey monkey and ask all Maryland Technician Training Program Directors to complete. Daniel Ashby will lead development of a draft survey questions for Board review.</p> <p><i>c. Foreign Pharmacist Graduates- intern hours:</i> Foreign Pharmacist Graduates who currently have active technician registrations and are working towards acquiring intern hours, may continue to utilize their current pharmacy technician registration until October 2015, similar to that for the pharmacy student exemption. They should submit a Pharmacy Intern Application with the Board during the interim.</p>	<p>6b. Motion to develop a survey by committee, 2nd by D. Jones.</p> <p>Motion for Board to review survey before distribution by D. Jones, 2nd by B. Zagnit.</p> <p>6c. Motion to honor technician registration with new application, 2nd by D. Ashby.</p>	<p>6b. The Board voted to approve this motion.</p> <p>The Board voted to approve this motion.</p> <p>6c. The Board voted to approve this motion.</p>
C. Public Relations Committee	D. Jones, Chair	<p>Public Relations Committee Update:</p> <p>The Annual CE breakfast in October has 2 speakers set. There will be 3 total hours of CE credits in the areas of telepharmacy and medication errors. Registration information will be available soon.</p>		

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		The final draft of working conditions survey results will be completed on July 15.		
D. Disciplinary	T. Robinson, Chair	Disciplinary Committee Update <i>None at this time.</i>		
E. Emergency Preparedness Task Force	S. Roy, Chair	<p>Emergency Preparedness Task Force Update</p> <p>The Office of Preparedness and Response would like to apply for a Board of Pharmacy grant for fiscal year 2016 to complete disposal of remaining expired medication.</p> <p>The Board Of Pharmacy won best team response award at the Emergency Preparedness conference.</p>	<p>Motion to approve request for grant by committee, 2nd by L. Israbian-Jamgochian. OP&R will have to submit an official request to received grant funding from the Board of Pharmacy.</p> <p>Motion to prepare letter of concern to Gov. Hogan regarding lack of funding and medication in case of emergencies in the state of Maryland by L. Israbian-Jamgochian, 2nd by Z. St. Cyr, II.</p>	<p>The Board voted to approve this motion.</p> <p>The Board voted to approve this motion.</p>
IV. Other Business & FYI	M. Gavgani, President	<i>L. Naesea announced that Board Commissioner Mayer Handelman passed away peacefully in his sleep earlier following a short illness. M. Gavgani requested a moment of silence in his honor. A contribution to Parkinson's Research Association has been made on behalf of MD Board of Pharmacy.</i>		
V. Adjournment	M. Gavgani, President	<p>The Public Meeting was adjourned at 11:52 AM</p> <p>At __12:08__ P.M. M. Gavgani convened a Closed Public Session to conduct a review of technician applications.</p>	Motion to close the Public Board Meeting by D. Ashby, 2 nd by L. Israbian-Jamgochian.	The Board voted to approve this motion.

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		<p>C. The Closed Public Session was adjourned at _____ P.M. Immediately thereafter, M. Gavvani convened an Administrative Session for purposes of discussing confidential disciplinary cases. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Administrative Session.</p>		